

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : DeFazio, et al.
Serial No. : 10/614,739
Filed : July 7, 2003
Title : WHEELED PLATFORMS

Art Unit : 3611
Examiner : Daniel S. Yeagley
Conf. No. : 6096

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR TWO-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated September 10, 2007, be extended for two months to and including February 10, 2008. This petition for extension of time is for consideration of the response to advisory action filed on January 29, 2008, a copy of which is attached herewith.

Any fees due are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply \$460 for the required fee and any other charges or credits to Deposit Account No. 06 1050, referencing the above identified attorney docket number.

Respectfully submitted,

Date: January 31, 2008

/Brett A. Krueger/

Brett A. Krueger
Reg. No. 54,243

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : DeFazio, et al.
Serial No. : 10/614,739
Filed : July 7, 2003
Title : WHEELED PLATFORMS

Art Unit : 3611
Examiner : Daniel S. Yeagley
Conf. No. : 6096

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ADVISORY ACTION OF JANUARY 23, 2008

FOR ACTION OF SEPTEMBER 10, 2007

Please amend the above-identified application as follows:

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1-62. (Canceled)

63. (Previously Presented) A wheeled structure, comprising:

a body having at least first and second side portions and having a profile in a center plane, the profile comprising a top-of-body profile;

first and second sets of wheel elements rotatably attached to the first and second side portions, respectively;

a tail element pivotally coupled to a portion of the body, the tail element being pivotally coupled to the body via an articulation element and substantially conforming to and substantially within the top-of-body profile when in a stowed position; and

a drive module coupled to the tail element to control the movement of the tail element between a first, stowed position and a second position where said tail element can make selective contact with a ground plane, wherein the drive module is operable to control, in a continuously variable manner, the angle and position of the tail element relative to the body, so that the tail element can assist in enabling the wheeled structure to traverse steep or difficult terrain;

wherein the first and second sets of wheel elements each comprise at least front and rear wheels; and

wherein the tail, when in the stowed position, is disposed substantially entirely within a wheeled structure profile defined by a plane substantially tangent to a topmost point of the front and rear wheels and within a perimeter defined by the front and rear wheels.

64. (Previously Presented) The wheeled structure of claim 63, wherein the articulation element is a hinge.

65. (Previously Presented) The wheeled structure of claim 63, wherein the articulation element is a pivot.

66. (Previously Presented) The wheeled structure of claim 63, wherein the articulation element is a flexible body portion.

67. (Previously Presented) The wheeled structure of claim 63, wherein there is no overlap between adjacent wheel elements of the first and second sets of wheel elements.

68. (Previously Presented) The wheeled structure of claim 67, wherein the wheel elements of the first and second sets of wheel elements, respectively, are aligned in a row.

69. (Previously Presented) The wheeled structure of claim 68, wherein each of the first and second sets of wheel elements is comprised of at least a first end wheel element, an intermediate wheel element, and a second end wheel element, and wherein the intermediate wheel element is configured to contact the ground plane, and the first and second end wheel elements are configured to selectively contact or be adjacent to the ground plane.

70. (Canceled)

71. (Previously Presented) The wheeled structure of claim 63, wherein when the tail is articulated furthest forward with respect to the body, the tail is long enough to contact a step forward of a forwardmost wheel element of either of the first and second sets of wheel elements.

72. (Previously Presented) The wheeled structure of claim 63, wherein the tail is configured to contact a first step of a stairway and lift a forwardmost wheel element of either of the first or second sets of wheel elements to attain the first step.

73. (Canceled)

74. (Previously Presented) A wheeled structure, comprising:
a body having at least first and second side portions;
a first end wheel element, an intermediate wheel element, and a second end wheel element rotatably attached to the first and second side portions, respectively, the intermediate wheel element having a wider track than the first end wheel element and the second end wheel element;

wherein each first end, intermediate, and second end wheel elements is arrayed with a selected degree of rocker of the wheel elements coupled to the body, wherein the intermediate wheel element is always in contact with the level ground plane, and the first and second end wheel elements are selectively in contact with or adjacent to the level ground plane to enable the wheeled structure to turn-in-place, enhance stability, and to reduce friction losses on smooth terrain, and further wherein the first end, intermediate, and second end wheel elements rotatably attached to the first and second side portions, respectively, are collectively arrayed in a geometrical arrangement having left-right and fore-aft symmetry;

wherein the first and second sets of wheel elements each comprise at least front and rear wheels; and

wherein the tail, when in the stowed position, is disposed substantially entirely within a wheeled structure profile defined by a plane substantially tangent to a topmost point of the front and rear wheels and within a perimeter defined by the front and rear wheels.

75-76. (Canceled).

77. (Previously Presented) A wheeled structure, comprising:
a body having at least first and second side portions;
a first end wheel element, an intermediate wheel element, and a second end wheel element rotatably attached to the first and second side portions, respectively;

a tail element pivotally coupled to a portion of the body, the tail element being pivotally coupled to a portion of the body via an articulation element; and

a drive module coupled to the tail element to control the movement of the tail element from a first, stowed position to at least one second position where said tail element can make selective contact with terrain;

wherein at least one wheel element is substantially scalloped in profile, and

wherein the substantially scalloped profile is selected such that a concave portion of the scallop profile is operable to substantially engage a bullnosed stair step edge.

78. (Previously Presented) The wheeled structure of claim 77 wherein the intermediate wheel elements having a wider track than the first end wheel element and the second end wheel element.

79. (Previously Presented) The wheeled structure of claim 77 wherein the tail element, when in the at least one second position, can make selective contact with a level ground plane.

80. (Previously Presented) The wheeled structure of claim 77 wherein at least one end wheel element is scalloped, and wherein at least one intermediate element is substantially smooth in profile, thereby facilitating turn-in-place.

81-94. (Canceled)

REMARKS

In response to the advisory action dated January 23, 2008 for the reply to office action dated September 9, 2007, Applicants canceled all non-allowable claims as indicated in the advisory action to submit only the allowable claims for a notice of allowance. Claims 1-62, 70, 73, 75-76, and 81-94 are canceled. Claims 63-69, 71, 72, 74, and 77-80 are pending and presented for examination. Applicant respectfully requests reconsideration of the pending claims and respectfully request a notice of allowance.

CONCLUSION

The attorney of record below invites the Examiner to call with any questions regarding this matter, so that we can continue to advance the prosecution of this matter.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing the above identified Attorney Docket Number.

Applicant : DeFazio, et al.
Serial No. : 10/614,739
Filed : July 7, 2003
Page : 7 of 7

Attorney's Docket No.: 09945-056002 / CTR-1B

Respectfully submitted,

Date: January 29, 2008

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

/Brett A. Krueger/

Brett A. Krueger
Reg. No. 54,243

21840265.doc